

Remarks

This application has been reviewed in light of the Office Action of April 6, 2004. Claims 1-26 are pending. Claims 1-3, 5, 7-9, 11, 13-15, 17, 19-21, and 23 are rejected, and claims 4, 6, 10, 12, 16, 18, 22, and 24-26 are objected to. In response, claim 1 is amended; and the following remarks are submitted. Reconsideration of this application, as amended, is requested.

A number of the claims are objected to. Applicant proposes not to write those claims in independent form at this time, inasmuch as it is believed that the independent claims are allowable over the present rejections.

Claims 1-3, 5, 7-9, 11, 13-15, 17, 19-21, and 23 are rejected under 35 USC 102 over Brenning US Patent 3,331,166. Applicant traverses this ground of rejection.

The following principle of law applies to sec. 102 rejections. MPEP 2131 provides: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. The identical invention must be shown in as complete detail as is contained in the ... claim. The elements must be arranged as required by the claim..." [citations omitted] This is in accord with the decisions of the courts. Anticipation under section 102 requires 'the presence in a single prior art disclosure of all elements of a claimed invention arranged as in that claim.' Carella v. Starlight Archery, 231 USPQ 644, 646 (Fed. Cir., 1986), quoting Panduit Corporation v. Dennison Manufacturing Corp., 227 USPQ 337, 350 (Fed. Cir., 1985)

Thus, identifying a single element of the claim which is not disclosed in the reference is sufficient to overcome a Sec. 102 rejection.

There are a number of features recited in the present claims that are not disclosed or taught by Brenning. The following are examples.

Claim 1 recites in part:

“a y-axis datum locator including a first y-axis stop and a second y-axis stop”

Claims 7, 11, 13, and 19 each recites in part:

“a y-axis datum locator comprising a first y-axis stop and a second y-axis stop”

Figure 2 of the present application illustrates the y-axis 46, which is also discussed in para. [0022]. Although Brenning does not label any axes, it may be seen from Figure 2 that the direction corresponding to the y-axis 46 of the present application is the direction parallel to the flutes 15.

Brenning has no disclosure of a y-axis datum locator as recited in all of the rejected claims. That is, there is no feature of the base structure of Brenning that serves as a positioning and fixed locating stop parallel to what would be comparable to the y-axis of the present disclosure and against which the gas turbine component blank is pushed and held fixed by the clamping structure. This is not surprising, inasmuch as the clamping structure of Brenning is intended only to clamp and resist the forces imposed by the grinding wheel 14 as it moves parallel to the arrow 55, which is comparable to the z-axis of the present approach.

Claims 1, 7, 11, 13, and 19 each recites

“a clamp movable between ...

a clamped position wherein the clamp simultaneously forces a first end of the root precursor against the first y-axis stop, the rotating shroud against the second y-axis stop...”

Brenning does not disclose that its clamping device forces a root precursor against a

y-axis stop or a rotating shroud against another y-axis stop.

Applicant asks that the Examiner reconsider and withdraw this ground of rejection.

Claims 1-26 are rejected under the doctrine of obviousness-type double patenting over Jones US Patent 6,652,369 in view of Cavalieri US Patent 4,829,720. Applicant traverses this ground of rejection.

Jones '369 does not disclose or teach any y-axis stop and/or a clamp that clamps against any y-axis stop. Applicant incorporates the prior discussion regarding the necessary geometry and positioning of the y-axis stop. In the case of Jones '369, the y-axis direction would extend out of the page in the view of Figure 4, and no y-axis stop against which the root precursor may be clamped, or clamping force against such a y-axis stop, is disclosed or taught. Cavalieri '720 does not remedy this shortcoming.

Accordingly, the combination of these two references does not teach the limitations of any of claims 1-26, and an obviousness-type double patenting rejection is not appropriate.

The present applicant filed the application that became the '369 patent and the present application on the same date. The two inventions were directed to shaping different portions of the blade, and the stop and clamping structures of the two inventions were accordingly quite different.

Applicant asks that the Examiner reconsider and withdraw this ground of rejection.

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Applicant submits that the application is now in condition for allowance, and requests such allowance.

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Respectfully submitted,
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